

Henry William LUPTON
Appln. No. 10/076,369
Amendment Under 37 C.F.R. § 1.111

REMARKS

Claims 1-6 are pending in the present Application. Claim 1 has been amended. No new matter has been added. Accordingly, entry of the present Amendment is requested.

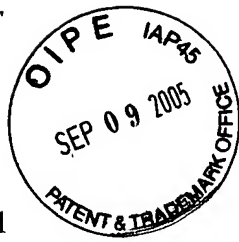
Claims 1, 2, and 6 are rejected under 35 U.S.C. § 102(b) as assertedly being anticipated by Dusbabek et al. (5,968,069). With regard to Claims 1, 2 and 6, Dusbabek et al. is relied upon as disclosing a catheter having an elongate body (212), the body (212) assertedly comprising a tubular member (216) surrounded the elongate body wherein the walls of the tubular member are corrugated and include a plurality of ribs (fig. 30-33), a stent (218) and a support region (214) formed over the corrugated section.

With regard to Claims 1 and 6, Dusbabek et al. also is relied upon as disclosing a catheter having an elongate body (372, fig. 43-45), the body being a tubular member and the tubular member having at least one corrugated section (354) in the distal region, a support region (358) formed over the corrugated section and a stent (360).

Applicants again respectfully traverse this rejection for the reasons set forth in the Response filed September 21, 2004, which is incorporated herein by reference.

In order to further distinguish the claimed invention from the cited reference, Claim 1 has been amended to recite “a catheter having a hollow elongate body with proximal and distal ends, wherein at least one section of the walls of the hollow elongate body in the distal region is corrugated”

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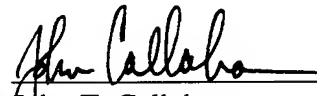


Dusbabek et al. does not teach or suggest a catheter and stent combination as presently claimed. In particular, the term “corrugated” as used in Claims 1-6 distinguishes over the device disclosed in Dusbabek et al. in, for example, Figs. 44 and 45. The Dictionary.com definition of “corrugated” is “to shape into folds or parallel and alternating ridges and grooves.”

In view of the foregoing, withdrawal of the rejection an allowance of the application is requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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